UNITED STATES PATENT AND TRADEMARK OFFICE

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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *14 April 2006*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-38* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-38* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☒ Some * c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *08/09/05-03/09/07*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Status

1.   Claims 1-38 are pending.

2.   Claims 1-38 have been examined.

Priority

3.   Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-
(d) prior to declaration of an interference, a certified English translation of the foreign
application must be submitted in reply to this action. 37 CFR 41.154(b) and 41.202(e).

Failure to provide a certified translation may result in no benefit being accorded for the
non-English application.

Specification

4.   The title of the invention is not descriptive. A new title is required that is clearly
indicative of the invention to which the claims are directed.

5.   The lengthy specification has not been checked to the extent necessary to determine the
presence of all possible minor errors. Applicant's cooperation is requested in correcting any
errors of which applicant may become aware in the specification.

6.   The specification is objected to as failing to provide proper antecedent basis for the
claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the

following is required: Claim 1 recites for example "storage means for" however does not

disclose or define what the storage means for is.

Claim Rejections - 35 USC § 101

7.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8.   Claim 1 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-

statutory subject matter.

MPEP 2106:
     The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best functional descriptive material per se.
     Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material". Both types of "descriptive material" are nonstatutory when claimed as descriptive material per se, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare In re Lowry, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)
     Merely claiming nonfunctional descriptive material, i.e. abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See Diehr, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in Benson were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer"

     Claim 1 recites "An information-processing apparatus". However, claim 1 fails to

contain any computer hardware that is used to implement the apparatus so as to realize its

functionality. The claimed elements of the body of claim 1 are merely an abstract idea and are

being processed without any links to a practical result in the technology arts and without any

computer hardware manipulation. Contrary to arguments made by some Applicants, use of the

word "apparatus" does not inherently mean that the claim is directed to a machine. Only if at

least one of the claimed elements of the apparatus is a physical part of a device can the system as

claimed constitute part of a device or a combination of devices to be a machine within the

meaning of 101.

9.   Regarding claims 12 these claims recite a recording medium. In the absence of any

modifying disclosure of this limitation in the specification, the examiner interprets the terms

'recording medium' as excluding printed paper, transmission media, signals, or any form of

energy, such that the claim clearly falls within a statutory class of invention as required under the

terms of 35 U.S.C. 101.

10.   Claim 13 fails to fall within a statutory category of invention. It is directed to the

program itself, not a process occurring as a result of executing the program, a machine

programmed to operate in accordance with the program nor a manufacture structurally and

functionally interconnected with the program in a manner which enables the program to act as a

computer component and realize its functionality. It's also clearly not directed to a composition

of matter. Therefore, it's non-statutory under 35 USC 101.

11. Claim 14-21 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-

statutory subject matter.

MPEP 2106:

The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best functional descriptive material per se.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material". Both types of "descriptive material" are nonstatutory when claimed as descriptive material per se, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare In re Lowry, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e. abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See Diehr, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in Benson were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer"

Claim14 recites "An information-processing apparatus". However, claim 14 fails to contain any computer hardware that is used to implement the apparatus so as to realize its functionality. The claimed elements of the body of claim 14 are merely an abstract idea and are being processed without any links to a practical result in the technology arts and without any computer hardware manipulation. Contrary to arguments made by some Applicants, use of the word "apparatus" does not inherently mean that the claim is directed to a machine. Only if at least one of the claimed elements of the apparatus is a physical part of a device can the system as claimed constitute part of a device or a combination of devices to be a machine within the meaning of 101.

12.   Regarding claims 23 this claim recites a recording medium. In the absence of any

modifying disclosure of this limitation in the specification, the examiner interprets the terms

'recording medium' as excluding printed paper, transmission media, signals, or any form of

energy, such that the claim clearly falls within a statutory class of invention as required under the

terms of 35 U.S.C. 101.

13.   Claim 24 fails to fall within a statutory category of invention. It is directed to the

program itself, not a process occurring as a result of executing the program, a machine

programmed to operate in accordance with the program nor a manufacture structurally and

functionally interconnected with the program in a manner which enables the program to act as a

computer component and realize its functionality. It's also clearly not directed to a composition

of matter. Therefore, it's non-statutory under 35 USC 101.

14. Claim 25 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-

statutory subject matter.

MPEP 2106:
        The claims lack the necessary physical articles or objects to constitute a machine or a
manufacture within the meaning of 35 U.S.C. 101. They are clearly not a series of steps or acts
to be a process nor are they a combination of chemical compounds to be a composition of matter.
As such, they fail to fall within a statutory category. They are, at best functional descriptive
material per se.
        Descriptive material can be characterized as either "functional descriptive material" or
"nonfunctional descriptive material". Both types of "descriptive material" are nonstatutory when
claimed as descriptive material per se, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional
descriptive material is recorded on some computer-readable medium, it becomes structurally and
functionally interrelated to the medium and will be statutory in most cases since use of
technology permits the function of the descriptive material to be realized. Compare In re Lowry,
32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)
        Merely claiming nonfunctional descriptive material, i.e. abstract ideas, stored on a
computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not
make it statutory. See Diehr, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an
algorithm in Benson were unpatentable as abstract ideas because "[t]he sole practical application
of the algorithm was in connection with the programming of a general purpose computer"

        Claim 25 recites "An information-processing system". However, claim 25 fails to
contain any computer hardware that is used to implement the apparatus so as to realize its
functionality. The claimed elements of the body of claim 25 are merely an abstract idea and are
being processed without any links to a practical result in the technology arts and without any
computer hardware manipulation. Contrary to arguments made by some Applicants, use of the
word "system" does not inherently mean that the claim is directed to a machine. Only if at least
one of the claimed elements of the apparatus is a physical part of a device can the system as

claimed constitute part of a device or a combination of devices to be a machine within the meaning of 101.

15. Claim 26-35 are rejected under 35 U.S.C. 101 because the claimed invention is directed to

non-statutory subject matter.

MPEP 2106:
   The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best functional descriptive material per se.
   Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material". Both types of "descriptive material" are nonstatutory when claimed as descriptive material per se, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare In re Lowry, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)
   Merely claiming nonfunctional descriptive material, i.e. abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See Diehr, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in Benson were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer"

   Claim 26 recites "An information-processing apparatus". However, claim 26 fails to contain any computer hardware that is used to implement the apparatus so as to realize its functionality. The claimed elements of the body of claim 26 are merely an abstract idea and are being processed without any links to a practical result in the technology arts and without any computer hardware manipulation. Contrary to arguments made by some Applicants, use of the word "apparatus" does not inherently mean that the claim is directed to a machine. Only if at least one of the claimed elements of the apparatus is a physical part of a device can the system as claimed constitute part of a device or a combination of devices to be a machine within the meaning of 101.

16. Regarding claims 37 this claim recites a recording medium. In the absence of any

modifying disclosure of this limitation in the specification, the examiner interprets the terms

'recording medium' as excluding printed paper, transmission media, signals, or any form of

energy, such that the claim clearly falls within a statutory class of invention as required under the

terms of 35 U.S.C. 101.

17.   Claim 24 fails to fall within a statutory category of invention. It is directed to the

program itself, not a process occurring as a result of executing the program, a machine

programmed to operate in accordance with the program nor a manufacture structurally and

functionally interconnected with the program in a manner which enables the program to act as a

computer component and realize its functionality. It's also clearly not directed to a composition

of matter. Therefore, it's non-statutory under 35 USC 101.

Claim Rejections - 35 USC § 102

18.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign
> country or in public use or on sale in this country, more than one year prior to the date of
> application for patent in the United States.

19.   Claims 1-38 are rejected under 35 U.S.C. 102(b) as being anticipated EP1107595 by

Tadao Yoshida.et. al. (hereafter Yoshida).

Claim 1 :

In regards to "An information-processing apparatus for generating attribute information of a content on the basis of information on said content, comprising:", Yoshida discloses the following claimed limitations:

"acquisition means for acquiring" (figure 1 element 10 and 3) "said information" (0052, attribute) "on said content;" (0052, program)

"attribute-information generation means for" (figure 1) "generating said attribute information" (page 6, vector A) "including a plurality of items" (0007, page 2 line 25-26 elements; page 6 vector A: a, a2, a3..) "on the basis of information acquired by said acquisition means as said information" (0007 page 2 line 25-26, attribute information) "on said content; and" (0007 page 2 line 25-26, attribute information assigned to digital contents)

"first storage means for" (page 6, vector) "storing first weight information" (0052, page 6, intensities) "for said items" (0052 page 6 line 3, elements) "of said attribute information" (page 6 vector A) "generated by said attribute-information generation means,"(figure 1) "wherein said first weight information" (0054, intensities) "prescribes a degree of contribution given by each of a plurality of said items to" (0052, intensities of program attibutes) "computation of a degree of similarity" (page 8 equation 5) "between said attribute information" (vector A) "and predetermined favorite information of the user." (page 6 Vector S)

Claim 2 :

Yoshida further discloses "An information-processing apparatus according to claim 1, further comprising transmission means for transmitting said attribute information generated by said

attribute-information generation means." (figure 1 elements 2, 3, 10, 12)

Claim 3 :

Yoshida further discloses "An information-processing apparatus according to claim 2, wherein

said transmission means extracts a piece of first weight information" (figure 1, broadcasting

station; page 8, vector A) "matching a condition (page 8 paragraphs 0073-0077, cases 1-3) "of a

content" (0074-0077, program)"from pieces of first weight information stored in said first

storage means" (page 8 equation 4, ,elements 3, 1, .1, etc..)"and transmits said extracted piece of

first weight information by associating said extracted piece of first weight information with said

attribute information generated by said attribute-information generation means(0052, intensities

of program attributes).

Claim 4 :

Yoshida further discloses "An information-processing apparatus according to claim 3, wherein

said condition of a content is the genre of said content." (0054, drama, sports, etc.)

Claim 5 :

Yoshida further discloses "An information-processing apparatus according to claim 1, further

comprising extraction means for extracting predetermined information from information

acquired by said acquisition means as said information on said content," (0057, a1-a50) "wherein

said attribute-information generation means converts said predetermined information extracted

by said extraction means into a vector for each plurality of said items in order to generate said

attribute information." (0057 and equation 2, vector S)

Claim 6 :

Yoshida further discloses "An information-processing apparatus according to claim 1, wherein

said attribute-information generation means selects information expressed in terms of words"

(0054, movie drama, sports, etc.) "from said information on said content" (0049, attribute

information) "as an object of an analysis" (page 6, vector A) "and generates said attribute

information on the basis of a result of said analysis." (page 6, intensities)

Claim 7 :

Yoshida further discloses "An information-processing apparatus according to claim 5, wherein

said attribute-information generation means generates said attribute information by appending

numerical values each representing a frequency or a weight to said information expressed in

terms of words." (0054)

Claim 8 :

Yoshida further discloses "An information-processing apparatus according to claim 1, further

comprising: second storage means for storing information comprising a plurality of said items as

said predetermined favorite information of said user; and" (page 6 vector S; 0056, user tastes)

"recommendation-information generation means" (figure 1 element 3) "for generating

recommendation information revealing a content matching a favorite of said user by computing a

degree of similarity" (page 8, equation 5) "between said favorite information stored in said

second storage means" (page 6, vector S) "and said attribute information generated by said

attribute-information generation means for each of said items." (page 6, vector A)

Claim 9 :

Yoshida further discloses "An information-processing apparatus according to claim 8, wherein

said recommendation-information generation means generates recommendation information

through comparison of said attribute information with said favorite information by using said

first weight information stored in said first storage means." (0074-0077)

Claim 10 :

Yoshida further discloses "An information-processing apparatus according to claim 8, further

comprising:

    operation-history acquisition means for acquiring a history of operations carried out by

said user;" (0057, user selected 50 replayed programs…averaging attribute vectors a1-a50)

    "favorite-information generation means for generating favorite information of said user

on the basis of a history acquired by said operation-history acquisition means as said history of

operations carried out by said user; and" (0057, vector S can be generated for each selected

program by averaging attribute vectors A1-A50)

    "weight-information generation means for" (page 7, equation 3) "generating second

weight information" (page 6, equation 2, vector S) "on the basis of said favorite information

generated by said favorite-information generation means, wherein:" (page 6, equation 1, vector

A)

"said second weight information prescribes a degree of contribution given by each of a plurality of said items" (0056, intensities of attribute attributes indicating the user's taste) "to computation of a degree of similarity" (page 8 equation 5) "between said attribute information" (page 6, vector A) "and said favorite information of said user;" (page 6, vector S)

"said recommendation-information generation means generates recommendation information" (0074-0077) "through comparison of said attribute information with said favorite information by using said second weight information generated by said weight-information generation means." (page 8, equation 5)

Claim 11 :

In regards to "An information-processing method for an information-processing apparatus which generates attribute information of a content on the basis of information on said content, said information-processing method comprising:", Yoshida discloses the following claimed limitations:

"an acquisition step of acquiring" (figure 1 element 10 and 3) "said information" (0052, attribute) "on said content;" (0052, program)

"an attribute-information generation step of" (figure 1) "generating said attribute information" (page 6 vector A) "including a plurality of items" (0007, page 2 lines 25-26, elements; page 6 vector A) "on the basis of information acquired in a process carried out at said acquisition step" (0007 page 2 line 25-26, attribute information) "as said information on said content;" (0007 page 2 line 25-26, attribute information assigned to digital contents)

"an extraction step of extracting" (page 8, operation in equation 5 is performed) "weight

information prescribing a degree of contribution given by each of a plurality of said items" (page

8 equation 4) "to computation of a degree of similarity" (page 8 equation 5) "between said

attribute information" (page 6 vector A) "and predetermined favorite information of said user "

(page 6 vector S) "on the basis of information acquired in said process carried out at said

acquisition step" (0057, vector S...generated for each program by averaging attribute vectors)

"as said information on said content" (0057, attribute) "and on the basis of a condition owned by

said content; and" (0007 page 2 line 25-26, attribute information assigned to digital contents)

"an association step of associating"(0074, relationship) "said weight information" (page

8, intensities) "extracted in a process carried out at said extraction step" (page 8 operation in

equation 5 is performed) "with said attribute information generated in a process carried out at

said attribute-information generation step." (page 6, vector A)

Claim 12 :

In regards "A recording medium for storing a computer-program to be executed by a computer to

carry out processing for generating attribute information of a content on the basis of information

on said content, said computer-program comprising:", Yoshida discloses the following claimed

limitations:

"an acquisition step of acquiring" (figure 1 element 10 and 3) "said information" (0052,

attribute) "on said content;" (0052, program)

"an attribute-information generation step of" (figure 1) "generating said attribute

information" (page 6 vector A) "including a plurality of items" (0007, page 2 lines 25-26,

elements; page 6 vector A) "on the basis of information acquired in a process carried out at said

acquisition step" (0007 page 2 line 25-26, attribute information) "as said information on said

content;" (0007 page 2 line 25-26, attribute information assigned to digital contents)

"an extraction step of extracting" (page 8, operation in equation 5 is performed) "weight

information prescribing a degree of contribution given by each of a plurality of said items" (page

8 equation 4; page 6 0052 intensities) "to computation of a degree of similarity" (page 8 equation

5) "between said attribute information" (page 6 vector A) "and predetermined favorite

information of said user " (page 6 vector S) "on the basis of information acquired in said process

carried out at said acquisition step" (0057, vector S…generated for each program by averaging

attribute vectors) "as said information on said content" (0057, attribute) "and on the basis of a

condition owned by said content; and" (0007 page 2 line 25-26, attribute information assigned to

digital contents)

"an association step of associating"(0074, relationship) "said weight information" (page

8, intensities) "extracted in a process carried out at said extraction step" (page 8 operation in

equation 5 is performed) "with said attribute information generated in a process carried out at

said attribute-information generation step." (page 6, vector A)

Claim 13 :

In regards to "A computer-program to be executed by a computer to carry out processing for

generating attribute information of a content on the basis of information on said content, said

computer-program comprising:", Yoshida discloses the following claimed limitations:

"an acquisition step of acquiring" (figure 1 element 10 and 3) "said information" (0052, attribute) "on said content;" (0052, program)

"an attribute-information generation step of" (figure 1) "generating said attribute information" (page 6 vector A) "including a plurality of items" (0007, page 2 lines 25-26, elements; page 6 vector A) "on the basis of information acquired in a process carried out at said acquisition step" (0007 page 2 line 25-26, attribute information) "as said information on said content;" (0007 page 2 line 25-26, attribute information assigned to digital contents)

"an extraction step of extracting" (page 8, operation in equation 5 is performed) "weight information prescribing a degree of contribution given by each of a plurality of said items" (page 8 equation 4) "to computation of a degree of similarity" (page 8 equation 5) "between said attribute information" (page 6 vector A) "and predetermined favorite information of said user " (page 6 vector S) "on the basis of information acquired in said process carried out at said acquisition step" (0057, vector S…generated for each program by averaging attribute vectors) "as said information on said content" (0057, attribute) "and on the basis of a condition owned by said content; and" (0007 page 2 line 25-26, attribute information assigned to digital contents)

"an association step of associating"(0074, relationship) "said weight information" (page 8, intensities) "extracted in a process carried out at said extraction step" (page 8 operation in equation 5 is performed) "with said attribute information generated in a process carried out at said attribute-information generation step." (page 6, vector A)

Claim 14 :

In regards to "An information-processing apparatus for carrying out processing to select a content matching a favorite of the user, comprising:", Yoshida discloses the following claimed limitations:

"acquisition means for acquiring information including a plurality of items to serve as attribute information of said content;"

"acquisition means for acquiring information including a plurality of items to serve" (figure 1 element 10 and 3) "as attribute information" (0052, attribute) "of said content" (0052, program)

"storage means for storing information including a plurality of said items to serve as favorite information of said user; and" (page 6 equations 1 and 2, vector A and S)

"recommendation-information generation means for generating recommendation information"(0074-0077) "revealing a content matching a favorite of said user by computing a degree of similarity" (page 8, equation 5) "between information stored in said storage means as said favorite information of said user" (page 6, vector S) "and said attribute information acquired by said acquisition means through application of predetermined weight information," (page 6 vector A) "wherein said weight information prescribes a degree of contribution given by each of a plurality of said items to" (page 6, 0054) "computation of said degree of similarity" (page 8, equation 5) "between said attribute information" (page 6, vector A) "and said favorite information of said user." (page 6, vector S)

Claim 15 :

Yoshida further discloses "An information-processing apparatus according to claim 14, wherein

said acquisition means acquires also said weight information besides said attribute information of

said content and" (0054)"said recommendation-information generation means generates said

recommendation information by comparison of said attribute information of said content with

said favorite information by using said weight information. "(page 8 equation 5)

Claim 16 :

Yoshida further discloses "An information-processing apparatus according to claim 14, further

comprising:

      operation-history acquisition means for acquiring a history of operations carried out by

said user;" (0057)

      "favorite-information generation means for generating favorite information of said user

on the basis of an operation history acquired by said operation-history acquisition means as said

history of operations carried out by said user; and" (0057, vector S can be generated for each

selected program by averaging attribute vectors A1-A50)

      "weight-information generation means for" (page 7, equation 3) "generating said weight

information" (page 6 equation 2, vector S) "on the basis of said favorite information generated

by said favorite-information generation means," (page 6, equation 1, vector A)

      "wherein said recommendation-information generation means generates said

recommendation information" (0074-0077) "through comparison of said favorite information

with said attribute information by using said weight information generated by said weight-

information generation means." (page 8, equation 5)

Claim 17 :

Yoshida further discloses "An information-processing apparatus according to claim 14, wherein

said weight information is information revealing a favorite preferred by said user as a

characteristic favorite, which is used for selecting a specific piece among pieces of said attribute

information of said content, rather than a generally preferred favorite." (0075)

Claim 18 :

Yoshida further discloses "An information-processing apparatus according to claim 14, wherein

said weight information is information revealing an item of importance to said user among items

composing said attribute information of said content."(0075)

Claim 19 :

Yoshida further discloses "An information-processing apparatus according to claim 14, wherein

said weight information is information revealing an item indicating a content liked by said user

among items composing said attribute information of said content."(0075)

Claim 20 :

Yoshida further discloses "An information-processing apparatus according to claim 14, wherein

said weight information is information revealing an item indicating a content disliked by said

user among items composing said attribute information of said content." (0077)

Claim 21 :

Yoshida further discloses "An information-processing apparatus according to claim 14, further comprising operation input means for receiving an operation input from said user, wherein said weight information is set in accordance with an operation input entered by said user to said operation input means. "(0057)

Claim 22 :

In regards to "An information-processing method for an information-processing apparatus which carries out processing to select a content matching a favorite of the user, said information-processing method comprising:" Yoshida discloses the following limitations:

"an acquisition step of acquiring information" (figure 1 element 10 and 3) "of setting weight information prescribing a degree of contribution" (page 8 equation 4)" to computation of a degree of similarity" (page 8 equation 5) "between information composed of a plurality of items to serve as attribute information associated with said content" (page 6 vector A) "and information composed of a plurality of items to serve as predetermined favorite information associated with said user where said contribution is contribution given by each of a plurality of said items;"(page 6 vector S; 0057, vector S...generated for each program by averaging attribute vectors)

"a computation step of computing a degree of similarity" (page 8 operation in equation 5 is performed) "between said attribute information" (page 6 vector A) "and said favorite

information on the basis of information" (page 6 vector S)" acquired in a process carried out at

said acquisition step as said information of setting said weight information; and" (figure 1

element 10 and 3)

"a recommendation-information generation step" (page 8, determining whether to record;

0073-0078 case 1, 2, 3) "of generating recommendation information" (case) "revealing a content

matching a favorite of said user through use of a computation result obtained in a process carried

out at said computation step." (0073-0078)

Claim 23 :

In regards to "A recording medium for storing a computer-program to be executed by a computer

to carry out processing to select a content matching a favorite of the user, said computer-program

comprising:", Yoshida discloses the following claimed limitations:

"an acquisition step of acquiring information" (figure 1 element 10 and 3) "of setting

weight information prescribing a degree of contribution" (page 8 equation 4)" to computation of

a degree of similarity" (page 8 equation 5) "between information composed of a plurality of

items to serve as attribute information associated with said content" (page 6 vector A) "and

information composed of a plurality of items to serve as predetermined favorite information

associated with said user where said contribution is contribution given by each of a plurality of

said items;"(page 6 vector S; 0057, vector S...generated for each program by averaging attribute

vectors)

"a computation step of computing a degree of similarity" (page 8 operation in equation 5

is performed) "between said attribute information" (page 6 vector A) "and said favorite

information on the basis of information" (page 6 vector S)" acquired in a process carried out at

said acquisition step as said information of setting said weight information; and" (figure 1

element 10 and 3)

"a recommendation-information generation step" (page 8, determining whether to record;

0073-0078 case 1, 2, 3) "of generating recommendation information" (case) "revealing a content

matching a favorite of said user through use of a computation result obtained in a process carried

out at said computation step." (0073-0078)

Claim 24 :

In regards to "A computer-program to be executed by a computer to carry out processing to

select a content matching a favorite of the user, said computer-program comprising:" Yoshida

discloses the following claimed limitations:

"an acquisition step of acquiring information" (figure 1 element 10 and 3) "of setting

weight information prescribing a degree of contribution" (page 8 equation 4)" to computation of

a degree of similarity" (page 8 equation 5) "between information composed of a plurality of

items to serve as attribute information associated with said content" (page 6 vector A) "and

information composed of a plurality of items to serve as predetermined favorite information

associated with said user where said contribution is contribution given by each of a plurality of

said items;"(page 6 vector S; 0057, vector S...generated for each program by averaging attribute

vectors)

"a computation step of computing a degree of similarity" (page 8 operation in equation 5

is performed) "between said attribute information" (page 6 vector A) "and said favorite

information on the basis of information" (page 6 vector S)" acquired in a process carried out at

said acquisition step as said information of setting said weight information; and" (figure 1

element 10 and 3)

"a recommendation-information generation step" (page 8, determining whether to record;

0073-0078 case 1, 2, 3) "of generating recommendation information" (case) "revealing a content

matching a favorite of said user through use of a computation result obtained in a process carried

out at said computation step." (0073-0078)

Claim 25 :

In regards to "An information-processing system comprising a first information-processing

apparatus for generating attribute information of a content on the basis of information on said

content" (figure 1 element 2) and a second information-processing apparatus for carrying out

processing to select said content matching a favorite of the user on the basis of information

received from said first information-processing apparatus as said attribute information of said

content, " (figure 1 element 12), Yoshida discloses,

"said first information-processing apparatus comprising:" (figure 1 element 2)

"first acquisition means for acquiring said information on said content;" (page 8, 0066,

equation 4)

"attribute-information generation means for generating said attribute information" (figure

1 element 2) "including a plurality of items on the basis of information acquired by said first

acquisition means as said information on said content;" (page 8 equation 4, vector A = (3, 1, .1,

etc...))

"first storage means for" (page 6, vector A)"storing first weight information for items of

said attribute information generated by said attribute-information generation means; and" (figure

1 element 2)

"transmission means for extracting a piece of said first weight information" (figure 1,

broadcasting station; page 8, vector A) "matching a condition" (page 8 paragraphs 0073-0077,

cases 1-3) "owned by said content" (0074-0077, program) "from pieces of said first weight

information" (page 8 equation 4, ,elements 3, 1, .1, etc..) "stored in said first storage means"

(page 6, equation 1, vector A) ", associating said extracted first weight information with said

attribute information" (0052, intensities of program attributes) "generated by said attribute-

information generation means" (figure 1 element 2) "and transmitting said first weight

information (page 6, intensities) and said attribute information," (page 6, vector A attributes)

"said second information-processing apparatus comprising:" (figure 1 element 12)

"second acquisition means for acquiring information including a plurality of items as said

attribute information of said content and said first weight information;" (page 6, vector S; 0057)

"second storage means for" (page 6, vector S) "storing information including a plurality

of said items to serve as favorite information of said user; and" (0056, user tastes)

"recommendation-information generation means" (figure 1 element 3)"for generating

recommendation information revealing a content matching said favorite of said user"(page 4,

paragraph 0039 lines 1-2; 0040) "by computing a degree of similarity" (page 8 equation 5)

"between information stored in said second storage means as said favorite information of said

user" (page 6, vector S) "and said attribute information" (page 6, a, a2, a3) "acquired by said

second acquisition means" (page 6, vector S) "through application of at least either said first

weight information or second weight information different from said first weight information,"

(0057, vectors A1 – A50)

"wherein said first weight information and said second weight information each

prescribe a degree of contribution given by each of a plurality of said items to computation of

said degree of similarity" (page 8, equation 5) "between said attribute information" (page 6,

vector A) "and said favorite information of said user." (page 6, vector S)

Claim 26 :

In regards to "An information-processing apparatus for carrying out processing to select a

content matching a favorite of the user, comprising:", Yoshida discloses the following claimed

limitations:

"an acquisition means for acquiring" (figure 1 element 10 and 3) "attribute information

of" (0052, attribute) "said content;" (0052, program)

"bias-information generation means for generating," (page 8, 0074-0077) "on the basis of

first information showing said favorite of said user" (page 6, vector A, intensities of program)

"and second information showing a generally preferred favorite," (page 6, vector S, intensities of

attribute attributes indicating user's taste) "third information revealing a bias of said favorite of

said user as a bias with respect to said generally preferred favorite." (0075, case 1)

Claim 27 :

Yoshida discloses "An information-processing apparatus according to claim 26, wherein: said

attribute information, said first information and said third information each comprise a plurality

of items;" (0054) "and selection means further provided in said information-processing apparatus

selects a content matching said favorite of said user by computation of a degree of similarity"

(page 8, equation 5) "between said attribute information" (page 6, vector A) "and said first

information for each of said items through use of said third information" (page 8, equation 5)

Claim 28 :

Yoshida discloses "An information-processing apparatus according to claim 26, wherein: said

first information and said second information each comprise a plurality of items;" (page 6, vector

A and S) "and as said third information," (0054) "said bias-information generation means

generates information" (0074-0077) "revealing said items each having a low degree of similarity

between said first information and said second information." (0074)

Claim 29 :

Yoshida further discloses "An information-processing apparatus according to claim 26, further

comprising: operation-history acquisition means for acquiring a history of operations carried out

by said user;"(0057) "and favorite-information generation means for generating said first

information on the basis of a history acquired by said operation-history acquisition means as said

history of operations carried out by said user."(0057)

Claim 30 :

Yoshida further discloses "An information-processing apparatus according to claim 26, wherein

said bias-information generation means generates said third information by: counting the number

of contents," (0074-0077) "which said user selects from those pertaining to a predetermined

group and views," (0079) "for each of predetermined items to result in a first value and using

said first value as said first information;"(0079) "counting the number of all said contents

pertaining to said predetermined group for each of said predetermined items to result in a second

value and using said second value as said second information;" (page 8 equation 5) "and

normalizing said first value through use of said second value to result in said third information."

(page 8 0073)

Claim 31 :

Yoshida further discloses "An information-processing apparatus according to claim 30, wherein

said predetermined group of contents is a set of contents broadcasted or distributed during a

predetermined period of time." (figure 1 element 2, broadcast station)

Claim 32 :

Yoshida further discloses "An information-processing apparatus according to claim 30, wherein

said bias-information generation means generates said third information by: taking each of sets

each consisting of contents as one of a plurality of said predetermined groups of contents" (page

8, equation 5 and 0074-077) "where said sets are broadcasted or distributed during different

periods of times;" (0057, A1 and A5) "computing a plurality of said first"(page 6, vector A)" and

second values for said predetermined groups of contents;" (page 6, vector B) "and normalizing

each of said first values through use of said second values computed for the same group of

contents as said first value as said second value corresponding to said first value to result in said

third information." (0057, average; page 8, equation 5)

Claim 33 :

Yoshida further discloses "An information-processing apparatus according to claim 30, wherein each of said predetermined groups of contents is a set of contents broadcasted or distributed during a predetermined period of time." (figure 1, broadcast system)

Claim 34 :

Yoshida further discloses "An information-processing apparatus according to claim 26, wherein said first information is said attribute information associated with said content as information revealing an item indicating that said content is a favorite of said user." (0054)'

Claim 35 :

Yoshida further discloses "An information-processing apparatus according to claim 26, wherein said first information is said attribute information associated with said content as information revealing an item indicating that said content is disliked by said user." (0077)

Claim 36 :

In regards to "An information-processing method for an information-processing apparatus which carries out processing to select a content matching a favorite of the user, said information-processing method comprising:", Yoshida discloses

"a first acquisition step of acquiring first information showing said favorite of said user;"
(page 6, equation 1; vector A, 0052, intensities of program attributes)

"a second acquisition step of acquiring second information showing a generally preferred
favorite; and"(page 6, equation 2, vector S, 0056 intensities of attribute attributes indicating user
taste)

"a bias-information generation step of generating" (page 8, 0074-0077) "third
information revealing a bias of said favorite of said user as a bias with respect to said generally
preferred favorite on the basis of said first information" (0075, case 1) "acquired in a process
carried out at said first acquisition step and said second information acquired in a process carried
out at said second acquisition step." (0067, operation in equation 5)

Claim 37 :

In regards to "A recording medium for storing a computer-program to be executed by a computer
to carry out processing to select a content matching a favorite of the user, said computer-program
comprising:", Yoshida discloses

"a first acquisition step of acquiring first information showing said favorite of said user;"
(page 6, equation 1; vector A, 0052, intensities of program attributes)

"a second acquisition step of acquiring second information showing a generally preferred
favorite; and"(page 6, equation 2, vector S, 0056 intensities of attribute attributes indicating user
taste)

"a bias-information generation step of generating" (page 8, 0074-0077) "third
information revealing a bias of said favorite of said user as a bias with respect to said generally

preferred favorite on the basis of said first information" (0075, case 1) "acquired in a process

carried out at said first acquisition step and said second information acquired in a process carried

out at said second acquisition step." (0067, operation in equation 5)

Claim 38 :

In regards to "A computer-program to be executed by a computer to carry out processing to

select a content matching a favorite of the user, said computer-program comprising:", Yoshida

discloses

"a first acquisition step of acquiring first information showing said favorite of said user;"

(page 6, equation 1; vector A, 0052, intensities of program attributes)

"a second acquisition step of acquiring second information showing a generally preferred

favorite; and" (page 6, equation 2, vector S, 0056 intensities of attribute attributes indicating user

taste)

"a bias-information generation step of generating" (page 8, 0074-0077) "third

information revealing a bias of said favorite of said user as a bias with respect to said generally

preferred favorite on the basis of said first information" (0075, case 1) "acquired in a process

carried out at said first acquisition step and said second information acquired in a process carried

out at said second acquisition step." (0067, operation in equation 5)

Conclusion

20.   The prior art made of record listed on pto-892 and not relied, if any, upon is considered

pertinent to applicant's disclosure.

Contact Information

21.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MICHAEL PHAM whose telephone number is (571)272-3924.

The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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